

**MINUTES
FARRAGUT BOARD OF ZONING APPEALS**

April 21, 2014

7:00 p.m.

Present: Keith Alley, Louis LaMarche, Corky Ives, Cleve Porter, and Ron Williams

Absent: None

Staff: Mark Shipley, Community Development Director

Item 1. Approval of Minutes for the December 18, 2013 meeting

Board member LaMarche noted a correction that needed to be made on Page 3 concerning who was present at the meeting. The staff acknowledged that this would be taken care of. A motion was made by Porter to approve the minutes as amended. The motion was seconded by Williams. Motion passed 5-0.

Ayes: Alley, Williams, LaMarche, Ives, and Porter

Nays: None

Absent: None

Abstaining: None

Item 2. Public hearing on a request for a special exception to expand a nonconforming building at 428 Lost Tree Lane (Stuart Anderson/Anderson Design, applicant).

The staff noted that this item involves a request to replace an existing uncovered porch on a home in the Fox Den Villas with a covered screened porch. The staff reminded the board that, at the board meeting on September 25, 2013, a request was considered for an applicant (Thomas Bailey) in the same development and on the same side of Lost Tree Lane. It was noted at that meeting that the Fox Den Villas predated the current R-2 (General Single-Family Residential) zoning and the homes within this development generally do not comply with most zoning related requirements associated with the R-2 Zoning District.

Similar to the Bailey matter, the staff indicated that the request at this time involves a dwelling unit that does not meet any setback or lot coverage requirements and contains an existing uncovered porch that encroaches well into a platted 10 foot drainage and utility easement. Since this request is, for all practical and functional purposes, the same as the Bailey request, the staff recommended that the board follow the same action that was taken at the September 25, 2013 meeting. Basically, the special exception

FBZA Minutes
April 21, 2014
Page 2

in the Bailey case was approved due to the development predating the Town's zoning and the requested expansion not greatly exacerbating the problem that is already there. The approval was also conditioned on a covenant being prepared and recorded that would protect the Town and utility companies from any expenses and liability due to a covered structure being within the drainage and utility easement.

The applicant, Marianne Madigan, and her architect, Stuart Anderson, were present and indicated that they have already been in contact with the attorney that drafted the covenant agreement for the Bailey's and that was approved by the town attorney and ultimately recorded at the register of deeds.

A motion was made by Alley to approve the special exception for the reasons outlined by staff and subject to the covenant recommended by staff and that would have to be recorded at the register of deeds prior to the issuance of a building permit. Motion was seconded by LaMarche and motion passed unanimously.

Ayes:	Alley, Williams, LaMarche, Ives, and Porter
Nays:	None
Absent:	None
Abstaining:	None

Item 3. Public hearing on a request for a setback variance related to a proposed addition at 428 Lost Tree Lane (Stuart Anderson/Anderson Design, applicant).

The staff recommended approval of the setback variance for the reasons noted above in Item 2 and subject to the covenant agreement being prepared and recorded that would relieve the Town and utility companies from any expenses and liability due to a covered structure being within the drainage and utility easement.

A motion was made by Alley to approve the variance request for the reasons outlined by staff and subject to the covenant recommended by staff and that would have to be recorded at the register of deeds prior to the issuance of a building permit. Motion was seconded by LaMarche and motion passed unanimously.

Ayes:	Alley, Williams, LaMarche, Ives, and Porter
Nays:	None

FBZA Minutes
April 21, 2014
Page 3

Absent: None
Abstaining: None

Meeting adjourned at 7:23 p.m. and the staff then conducted a training session on site plan review.

Ron Williams, Secretary

A handwritten signature in cursive script, appearing to read "Ron Williams", written over a horizontal line.